

DOCKET NO: 265469US3PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
KOJI MIWA, ET AL. : EXAMINER: PHILLIPS, CHARLES E.
SERIAL NO: 10/524,212 :
FILED: FEBRUARY 10, 2005 : GROUP ART UNIT: 3751
FOR: MUFFLING APPARATUS AND :
FEED WATER APPARATUS

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction Requirement mailed July 13, 2007, Applicants hereby elect Group II, Claims 7-8. This election is made with traverse.

It is respectfully submitted that the subject matter of all claims 1-8 are sufficiently related that a thorough search for the subject matter of any one group of claims would necessarily encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be performed without serious burden. MPEP § 803 states that if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions. It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Application No. 10/524,212
Reply to Restriction Requirement of July 13, 2007

The Examiner is respectfully requested to reconsider and withdraw the Restriction Requirement and to examine all claims in this application.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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